

### **REMARKS**

Reconsideration of this application is respectfully requested in view of the amendments above and the comments contained herein.

#### **STATUS OF CLAIMS**

Upon entry of this amendment, claims 1-21 will be pending in this application.

#### **OBVIOUSNESS REJECTIONS**

1. Claims 1-5, 7-12, 14-19, and 21

On pages 4-47 of the Office action dated May 26, 2009, the Office has rejected claims 1-5, 7-12, 14-19, and 21 under 35 U.S.C. § 103(a) as obvious over U.S. Patent Publication No. 2004/0095605 (Moro) in view of U.S. Patent No. 6,628,419 (So), U.S. Patent No. 6,381,031 (Mishima) and U.S. Patent No. 7,324,228 (Chiarabini). Applicants respectfully traverse this rejection for the reasons given below and in the response filed on February 2, 2009, which is incorporated herein by reference.

The Office characterizes Applicants' arguments thus:

The Applicant stated in the remarks that the cited references do not disclose a system for (1) simultaneously transferring data that contains a large amount of information to compressing/decompressing devices and to an output portion and (2) treating data that contains a small amount of information in a different way. The Examiner respectfully disagrees with this assertion.

Office action dated May 26, 2009 at page 2. Applicants respectfully submit that the Office's characterization of Applicants' arguments is incomplete.

Applicants explained that Moro does not teach treating data containing a small amount of information in a different way by transferring the monochrome input data-to-be-output to the compressing/expanding device without simultaneous

transfer to the output portion. Applicants have amended the claims to more clearly indicate this distinction.

The Office's further comments make even more clear that Moro fails to teach or suggest this distinction:

In the Moro reference, the system discloses detecting whether data is color or monochrome, which are considered as large and small amount information [FN1]. Based on the image data determination, the data is processed, or treated, in a certain manner that is different from one another. For example, if monochrome character image data is detected, the image data is input into a variable-length compression/decompression section (451) that is used to process the image data. If the data is a color image, the image data is compressed by the fixed-length compression/decompression processing section (452) and the variable-length compression/decompression section (452) [FN2]. These two processes are examples of treating the color and monochrome information in different manners. Therefore, the Examiner believes that the treatment of the different types of data in different ways is performed.

[FN1] See Moro '605 at paragraphs [0041]-[0044].

[FN2] Id. at paragraphs [0034]-[0036].

Office action dated May 26, 2009 at page 2. Nowhere does the Office point to a portion of Moro that discloses (1) simultaneously compressing/expanding and transferring of data containing large amounts of information, and (2) sequentially compressing/expanding and transferring data containing small amounts of information, as was recited in Applicants' claims and as has been clarified by the present amendments to claims 1, 8, and 15.

The Office action goes on to state:

Regarding the assertion made in Applicant's arguments that the small amount of information is not transferred to the output portion from the compression/decompression devices in a simultaneous manner, the Examiner would like to ask where exactly the above phrase or assertion is stated in the claim language. The claim limitation simply states that the image data is transferred to the output portion through less than all of the compression/decompression devices that operate in parallel. The

broad nature of the claim simply states that the data is transferred to an output portion and the manner in which it is transferred (sequentially or simultaneously) from another process is not specified. Both processes regarding the small and large amount of data require data to be transferred to the compress/decompression devices and an output portion, which is disclosed by the Moro reference.

Office action dated May 26, 2009 at page 3 (emphasis added).

First, Applicants assume that the Office's question relates to the treatment of data containing large amounts of information. Applicants' claims recite:

wherein, in cases where it is discriminated by said data discrimination portion that said input data-to-be-output is data including a large amount of information, said transfer controller transfers said input data-to-be-output to at least some of said plurality of compressing/expanding devices while simultaneously transferring said input data-to-be-output to said output portion.

See Applicants' claim 1 (emphasis added). Applicants' claims also recite:

executing the compressing operation of said input data-to-be-output while simultaneously executing the outputting operation of said input data-to-be-output in cases where it is discriminated that said input data-to-be-output is data including a large amount of information.

See Applicants' claim 8 (emphasis added). For this reason, with respect to data containing large amounts of information, the Office's assertions are incorrect.

With respect to data containing small amounts of information, Applicants note that the claims have been amended to clarify further the sequential nature of the compressing/expanding function and the transferring function. Accordingly, for this type of data as well, the Office's assertions are incorrect.

The Office goes on to state:

However, if a reference introduced a feature of transferring data to compression/decompress devices and to an output portion simultaneously during the detection of both monochrome information and color information, this would still read on the broad nature of Applicant's claims. The reasoning would be that both

small and large data information are being transferred to the compression/decompression devices and output portions, but only the large data limitation specifies how the data is transferred (i.e. simultaneous manner). In order for the Examiner to interpret Applicant's claim limitation in light of their assertion within the remarks, the claim limitations have to clearly state that the two types of data are transferred or processed in different manners.

Office action dated May 26, 2009 at page 3 (emphasis added). Applicants submit that the Office's position is incorrect because Applicants' claims clearly indicate that large amounts of data are processed using simultaneous compression/decompression and transferring to an output portion, while small amounts of data are processed using compression/decompression, followed by transferring to an output portion. In other words, the claims specify that the two types of data are treated differently. As Applicants have previously explained, this is not taught or suggested by Moro.

Moreover, as Applicants have previously explained in the response filed February 2, 2009, the secondary references So, Mishima, and Chiarabini do not cure this deficiency in Moro. Accordingly, even if the references were combined in the manner suggested by the Office, the claimed invention would not be obtained, and the Office has therefore failed to establish a *prima facie* case of obviousness.

2. Claims 6, 13, and 20

On pages 47-51 of the Office action dated May 26, 2009, the Office has rejected claims 6, 13, and 20 under 35 U.S.C. § 103(a) as obvious over Moro, So, Mishima, and Chiarabini, and further in view of U.S. Patent Application Publication No. 2003/0122935 (Shiohara). Applicants respectfully traverse this rejection for the reasons given below and in the response filed on February 2, 2009, which is incorporated herein by reference.

Applicants respectfully submit that Shiohara fails to cure the deficiencies of Moro, So, Mishima, and Chiarabini noted above with respect to claims 1-5, 7-12, 14-19, and 21. For at least this reason, Applicants submit that the Office has failed to establish a *prima facie* case of obviousness.

Second, the Office has failed to explain why a worker having ordinary skill in this art would have looked to Shiohara for a disclosure of how to treat color data.

Paragraph [0090] of Shiohara merely states:

A color correction module 532 applies color correction processing to the RGB continuous-tone bit image data to relate the data to print colors and converts the data into CMYK continuous-tone bit image data for K (black), C (cyan), M (magenta), and Y (yellow) printing at step S14.

Nowhere does this paragraph explain why one having ordinary skill in the art would use binarized color data in the devices and processes of Moro, So, Mishima, or Chiarabini or in some hypothetical combined device or process. For this reason as well, Applicants submit that the Office has failed to establish a *prima facie* case of obviousness, and that this rejection should accordingly be withdrawn.

Applicants note that the Office has not answered this argument in the Office action dated May 26, 2009. MPEP 706.07 states that a final rejection should include a rebuttal of any arguments raised in Applicants' reply. The Office action dated May 26, 2009 does not do this, and thus its finality is premature. Withdrawal of this premature finality is respectfully requested.


CONCLUSION

Applicants submit that this application is in condition for immediate allowance, and an early notification to that effect is respectfully requested. If the Examiner has any questions about this application, or believes that any issues remain to be resolved, the Examiner is respectfully requested to contact the undersigned to arrange for a personal or telephonic interview to resolve these issues prior to the issuance of another Office action.

Respectfully submitted,

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Date: September 25, 2009

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